

REMARKS

Reconsideration of this application is respectfully requested in view of the following remarks.

By the foregoing amendment, claims 15 and 25 have been amended. Claims 10-29 are currently pending in the application and subject to examination.

In the Office Action mailed February 6, 2008, the Examiner rejected claims 10-29 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,383,112 to Clark ("Clark") in view of U.S. Patent No. 4,985,697 to Boulton ("Boulton"). It is noted that claims 15 and 25 have been amended. To the extent that the rejection remains applicable to the claims currently pending, the Applicant hereby traverses the rejection as follows.

The Applicant submits that Clark does not disclose or suggest a method for tracking purchases of electronic books including at least associating an amount of each purchase with the source for the corresponding electronic book, as recited in claim 10.

Clark teaches billing computer 26 "receiving information for each transaction on the customer" (subscriber) and printing a bill. See column 8, lines 35-45. However, Clark does not disclose or suggest associating an amount of each purchase with the **source** for the corresponding electronic book, as in claim 10. The source is the publisher or supplier of the electronic book. Although Clark shows storing information that "identifies the studios from whom performances may be licensed and personal contacts for the studios," this storage is merely the storage of contact information. See Clark at column 10, lines 24-30. This information is not associated with each purchase of a corresponding electronic book by a subscriber, as in claim 10.

Clark is directed to a television type system that involves license payments in order to be able to broadcast performances. However, in Clark, the license for the broadcast of the performance is separate from a purchase by a subscriber. For example, in column 14, lines 25-40, Clark describes a "Count Scheduled Exhibitions procedure" that determines how many exhibitions will be scheduled in a month in order to determine "license fees to be paid and in determining the number of copies of tapes . . . which may be needed to replace worn out copies. In addition, licensing arrangements and other factors may suggest to the user [schedule manager] that rescheduling should be performed when counts of some titles are at undesirable levels." This task allows a television type schedule manager to manage licenses and copies by looking at an advance schedule of transmissions of performances. Clark does not disclose or suggest associating an amount of each "impulse pay-per-view" by a subscriber, described in column 7 of Clark, with a source for an electronic book, as recited in amended claim 10.

Boulton fails to cure the deficiency in Clark.

For at least this combination of reasons, the Applicant submits that claim 10 is allowable over the cited art. For reasons similar to those discussed for claim 10, the Applicant submits that claims 15, 20, and 25 are likewise allowable. As claims 10, 15, 20, and 25 are allowable, the Applicant submits that claims 11-14, 16-19, 21-24, and 26-29, which depend from allowable claims 10, 15, 20, and 25, are therefore also allowable.

CONCLUSION

For all of the above reasons, it is respectfully submitted that the claims now pending patentability distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300, with reference to Attorney Docket No. 026880-00034.

Respectfully submitted,

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